

Senate Resolution No. 54

**Introduced by Senators Mitchell, Beall, DeSaulnier, Jackson, Lara,
and Liu**

Relative to the Maximum Family Grant rule

WHEREAS, Twenty years ago this week, Assembly Bill 473 (hereafter AB 473) was passed off of the floor of the Assembly and the Senate, and enacted into law pursuant to Chapter 196 of the Statutes of 1994, establishing a state law that denies basic needs assistance to children born into a poor family receiving Aid to Families with Dependent Children (AFDC); and

WHEREAS, This child exclusion policy established by AB 473 remains in law today and is referred to as the Maximum Family Grant (MFG) rule; and

WHEREAS, The MFG rule denies help to poor infants and children unless his or her parents disclose private medical information to prove that their child was an accident, conceived as a result of failed, state sanctioned, contraception, as defined in the law, or a result of a rape, but only for a rape that was reported to police no later than three months after the birth of the child; and

WHEREAS, The MFG rule and similar child exclusion rules across the country were based on a racist stereotype about poor women who received public help, their worthiness as individuals, their fitness as mothers, and their motivations to become pregnant or to carry a child to term; and

WHEREAS, Assembly Bill 473 was leveraged in budget negotiations only after a ballot proposition that would have enacted this policy failed by a margin of 10 percentage points; and

WHEREAS, The contents of AB 473 were deleted and amended on the floor of the Assembly and had no public hearing; and

WHEREAS, Over 30 Assembly Members and Senators voted against this bill; and

WHEREAS, The author's floor statement suggested that concerns raised by the opposition were addressed by protections in AB 473,

including that it would not be operative unless federal waivers were received; and

WHEREAS, Assembly Bill 473 provided that the implementation date was to be the date that the Director of Social Services certified that the administrative procedures required for the federal waiver were complete; and

WHEREAS, Advocates at the Western Center on Law and Poverty report that, through a public records act request, they have learned that a final waiver was never received and the certificate was never issued by the Director of Social Services; and

WHEREAS, Twenty years ago, the Aid to Families with Dependent Children program had no lifetime limit of aid, but the California Work Opportunity and Responsibility to Kids (CalWORKs) program, which replaced it now entitles adults to only 24 months of lifetime assistance; and

WHEREAS, Twenty years ago, the program had a benefit equal to 80 percent of the federal poverty line, now the maximum grant puts a family at 40 percent of the federal poverty line; and

WHEREAS, Twenty years ago, the MFG rule was opposed by advocates for the poor, religious communities, and women's rights advocates; and

WHEREAS, Today, the repeal of the MFG rule is supported by a diverse coalition of over 80 organizations, including the California Catholic Conference, the Coalition for Women and Children, Planned Parenthood, the American Civil Liberties Union, California Partnership, and the Western Center on Law and Poverty; and

WHEREAS, Today California has the highest rate of child poverty in the nation, with more children in poverty than any other state, and is one of only three states that had a growth in poverty rates between 2011 and 2012; and

WHEREAS, Twenty years of scientific research on this failed social experiment has shown that there is no connection between child exclusion policies and the birth rate, as supporters of the bill had purported; and

WHEREAS, Policies like the MFG rule violate the basic principles of international human and reproductive rights; and

WHEREAS, Child exclusion laws are known to increase childhood poverty by an estimated 7.4 percent and deep poverty by an estimated 13.1 percent; and

WHEREAS, An increase in grant assistance of just a \$1,000 annually is estimated to improve a child's educational achievement by 5 to 6 percent; and

WHEREAS, Dozens of CalWORKs parents have testified in several hearings during this two-year legislative session about the very real, traumatic, and humiliating experiences their families have suffered at the hands of the MFG rule; and

WHEREAS, The chronic stress experienced by children whose basic needs go unmet will have life-long impacts that deny them opportunities that all children in America should enjoy; now, therefore, be it

Resolved by the Senate of the State of California, That on the 20th anniversary of the passage of the bill enacting the Maximum Family Grant (MFG) rule, the Senate proclaims that this law should be repealed as soon as legislatively possible; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

Senate Resolution No. 54 read and adopted by the Senate August 4, 2014.

Attest: _____
Secretary of the Senate